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ARTHUR BONIN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARTHUR BONIN,

Plaintiff,

vs.

JOSEPH ELETTO TRANSFER, INC., et al.

Defendants.

Case No.: 4:13-cv-00997-KAW

**STIPULATION TO PERMIT REMAND
OF ACTION TO SUPERIOR COURT OF
THE COUNTY OF ALAMEDA, STATE
OF CALIFORNIA; AND ORDER
REMANDING ACTION**

The parties herein, through their counsel, hereby stipulate as follows:

1. Through discovery in this action, plaintiff's counsel for the first time learned the true names of defendants resident in the State of California, who are non-diverse parties.
2. Therefore, good cause exists for this Court to remand this action to the Superior Court of California, County of Alameda, in order to permit amendment of the complaint there to add these non-diverse parties as defendants.
3. The originally filed case number of this action in the Alameda County Superior Court was No. RG12656603. Remand of this action to the existing case number will preserve the existing rights of the parties.

4. This action should therefore, subject to Court order, be remanded to proceed and continue in the Alameda Superior Court under that number.

DATED: July 17, 2013

GILLIN, JACOBSON, ELLIS, LARSEN & LUCEY

By: 

JIM LARSEN
Attorney for Plaintiff
ARTHUR BONIN

DATED: July 11, 2013

CESARI, WERNER AND MORIARTY

By: 

ANDREW S. WERNER
Attorneys for Defendant
JOSEPH ELETTO TRANSFER, INC.

ORDER PERMITTING FILING OF FIRST AMENDED COMPLAINT

Pursuant to stipulation, IT IS SO ORDERED. This action is, in its entirety, remanded to the Superior Court of Alameda County, State of California, where it was previously referenced as No. RG12656603.

DATED: 7/22/13


JUDGE OF THE U.S. DISTRICT COURT